



EU Transparency Register

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**OSCE Office for Democratic Institutions and Human Rights
Human Dimension Implementation Meeting 2016**

**Working session 13: Fundamental freedoms II,
including freedom of movement**

Freedom of Thought, Conscience, Religion or Belief

STATEMENT OF THE EUROPEAN FEDERATION FOR FREEDOM OF BELIEF (FOB) about Freedom of Movement in connection to Freedom of Religion and Belief

Tuesday, 27 September 2016

I am Alessandro Amicarelli a London based lawyer specializing in human rights and freedom of belief and I am the present spokesman of the European Federation for Freedom of Belief (FOB) that I represent today as I did last year.

As a secular and independent-by-any-faith association incorporated in Italy and registered as a lobbying group in Bruxelles and Strasbourg since December 2014, we advocate for the human rights and specifically for the freedom of belief of all people in the European continent, whether they belong to traditional or new religious groups, philosophical or spiritual schools of thought and even non believers, atheists and unconcerned in line with the European legislation.

FORB and Freedom of Movement are tightly tied and such a tight connection should be carefully considered of by the governments when dealing with issues concerning these two freedoms.

Freedom of Belief does include the right to manifest one's religion or belief and this includes the right to disseminate materials, to teach about that specific religion or belief, to carry out proselytism activities as the European Court of Human Rights has repeatedly stated since back in 1993 in Kokkinakis v. Greece case.

Freedom of proselytism is tightly tied to freedom of movement of missionaries to carry out their own teaching activities freely and legally without restrictions nor interference from the governments.

Furthermore preventing someone to enter a country on the basis of their faith will constitute a breach of the European Convention on Human Rights as they will be forced to remain in their country or to settle in a different country. The European Court has dealt several times with cases of this nature over the last years.



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People belonging to minority groups roughly called sects or cults are usually the target of such restrictions of FORB and freedom of movement too. This denial doesn't only apply to religious or spiritual leaders, it often applies to their followers too.

There are also cases when people belonging to minority groups are expelled from the countries where they live and deported to countries that violate freedom of religion or belief and their freedoms will be affected much more.

Additionally preventing people from building their own temples and churches and mosques in a given territory will cause to people belonging to minorities willing to migrate to those areas of the country, they would not be able to do so any more and in this way we say that this kind of legislation will certainly affect not only the FORB of foreigners but also the freedom of movement connected to the FORB of citizens of that country; this is the case of so called anti mosque legislation in Lombardy that has affected all minority communities in Lombardy. All non Roman Catholics willing to migrate to Lombardy will be forced not to do so because they will unlikely be able to have access to any worship place of their faith if their community is affected by the said legislation, likewise locals of Lombardy will feel being forced to move to other areas of the country to fully enjoy their freedoms.

At several occasions State funded NGOs spread hatred against religious minorities calling them cults or sects and they manage to lobby governments bodies that as a result prevent the freedom of belief in connection with the right to FORB of people belonging to minorities. The most notorious case is the French so called NGO FECRIS.

Some governments like Italy do create units of the Police that have the duty to study about minority groups they call sects; this is the case of the Italian SAS Anti Cult Squad that with its activities we believe stops the right to freedom of movement of people belonging to minority religions that are prevented from disseminate their teachings and from carrying out their activities.

1. With regards to SAS, Anti Cult Squad :

We as FOB renew our request to the Italian government, as we did last year, to provide clear information about the Anti Cult Squad including information about the cost-benefit ratio;

2. With regards to Anti Mosque or Anti Minority Religions Law in Lombardy and other regions

Last year we reported about the anti mosque bill passed in Lombardy and adopted in other regions at a later time.

Such legislation is aimed at preventing the Muslim communities to have any worship places or to build new ones. The legislation does affect in fact all minority groups not only the Muslim community. People belonging to minorities are denied their right to freedom of movement in connection to the right to FORB.



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FOB has launched an online petition that has been very successful and it has been brought to the Parliament. Few days later the Government has challenged such legislation filing an appeal with the Constitutional Court and we are waiting to know the outcomes.

In the meantime the same legislation has either been proposed or adopted by other regional authorities.

FOB will keep advocating for the deletion of all of these anti-minority legislation and to fully recognise the right to freedom of movement in connection to FORB to all people.

3. With regards to State funded and subsidized anti cult NGOs

There are a number of so called anti cult NGOs that receive funds and subsidies by governments. The most notorious one is the French FECRIS which, as far as we know, receives 90% of its annual funds by the French government that is particularly known for the anti religious legislation adopted over the last decades.

We expect all concerned governments stop funding these groups and if they still fund them, they should be revoked the NGO status at level of International organizations where they present themselves as NGOs and advocate and act against minority groups and against proper NGOs.

In the months to come FOB will make the voice of minority groups louder also in this regard.

FOB in fact does exist to make the content of the FORB (Freedom of Religion and Belief) Guidelines adopted by the EU Council alive and implemented and enforced across Europe.

Following the FORB Guidelines is the only route to positively achieve peace among the European populations.

Three of the main goals and working strategies set out in the FORB Guidelines are :

Firstly to eradicate the harsh violence with which groups that self identify themselves as religious as well as States and State bodies and NGOs, carry out activities against religious or spiritual groups whether they are minority groups or not and individuals belonging to such groups.

Secondly Freedom of Religion and Belief has to be guaranteed to all people whether religious or non religious, even atheists and unconcerned. Also the European Court of Human Rights has emphasized this point repeatedly.

FOB's action is in this direction.



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Third principle is that the governments, state the FORB Guidelines, do cooperate with the civil society.

As a lobbying group FOB is here for this reason.

We cooperate with State bodies and MPs at national and European level in order for these FORB Guidelines be fully implemented all over Europe guaranteeing equal rights to all people, beyond any border.

Today once again we invite the Italian and all other governments to respect the human rights of all minority groups, whether religious or not, and the individuals belonging to such groups in compliance with their International obligations as member of International Organizations.

People belonging to religious and spiritual groups have a clear right to freedom of movement in connection to their FORB as all people do, no exception being acceptable.

Thank you!

Alessandro Amicarelli, spokesman
on behalf of FOB,
European Federation for Freedom of Belief